ment was made before most of the burgesses had voted, that one candidate had not taken the sacrament within the year. He received the majority but his opponent was declared elected, all votes after the announcement being rejected. *Rex* v. *Parry,* 14 East 549 *held* to like effect, the highest candidate being a minor. Later cases emphasize the necessity for knowledge; *Queen* v. *Tewkesbury Corp.* L. R. 3 Q. B. 628 decided that though the winning candidate was disqualified, because he was also mayor, yet mere knowledge that he held that office, without knowledge of its legal import did not so void his votes as to elect his rival. This is a close approach to the American doctrine as is *Rex* v. *Bridge* I. M. & Sel. 76, where notice of disqualification was not given until half an hour after the polls opened. *Trench* v. *Nolan,* 20 Weekly Reports 833, while deciding for the minority candidate, reaches its conclusion on the express ground that knowledge of open bribery as a ground for disqualification will be presumed. In England, then, if knowledge be brought home to the voters their votes are thrown away, "as if they had voted for the man in the moon," to quote Lord Campbell in *Queen* v. *Coaks,* 3 El. & Bl. 248. The Indiana courts have elected to follow the English rule and refuse to count votes cast for an ineligible, *Copeland* v. *State,* 126 Ind. 51, and *State* v. *Johnson,* 100 Ind. 489. However in *State* v. *Bell,* 169 Ind. 61, the doctrine was rejected in the absence of evidence that the voters had "wilfully and obstinately" cast away their votes. The English rule has been approved also in Kentucky, Louisiana and Maryland, and with qualifications in Missouri and Wisconsin. In *State* v. *Frear,* 144 Wis. 79, the majority candidate died on the eve of the primaries, but since the newspapers published that fact, and a certain faction of the party solicited votes for the dead man, it was *held* that to declare a vacancy would be a fraud on the honest electors, since those voting for the deceased had deliberately waived the privilege of valid franchise by its corrupt exercise. The contrary view was adopted in *State* v. *Walsh,* 7 Mo. App. 142, where the voters with knowledge of A's death voted for him nevertheless and their votes were counted to defeat B, his rival. *People* v. *Clute,* 50 N. Y. 451, expressly approved in *Barnum* v. *Gilman,* 27 Minn. 466, sums up the attitude of the American courts on this question; "the existence of the fact which disqualifies, and of the law which makes that fact operate to disqualify, must be brought home so closely and so clearly to the knowledge or notice of the elector, that to give his vote therewith indicates an intention to waste it. The knowledge must be such, or the notice so brought home, as to imply a wilfulness in acting, when action is in opposition to the natural impulse to save the vote and make it effectual. He must act so in defiance of both the law and the facts, and so in opposition to his own better knowledge, that he has no right to complain of the loss of his franchise, the exercise of which he has wantonly misapplied."

ELECTIONS—WHO ARE "ELECTORS"—WOMEN.—After the women had voted in a municipal bond election as authorized by statute, the authorities refused to count such votes toward the required majority but considered only

those cast by the male voters, with the result that the election failed. The vote in favor had to be "a majority of all the electors voting at such election." *Held*, that the vote of the women was merely advisory and was properly excluded in considering the final result, since the statute required a majority of all the electors. The definition of "electors" as set down in the Constitution included males only. *Sears* v. *City of Maquoketa*, (Iowa, 1918), 166 N. W. 700.

Though the decision is unfortunate there seems to be no authority to the contrary. "Electors" has a technical meaning as the opinion indicates: a person possessing the qualifications fixed by the Constitution, and duly admitted to the privileges secured and prescribed in that instrument. The principle is that whenever the Legislature employs the word "electors" without qualification it is assumed to have reference to persons authorized by the Constitution of the State to exercise the elective franchise. *McEvoy* v. *Christensen*, 159 N. W. 179 (Iowa). The trouble usually arises because the Constitution designates the elective franchise in male citizens. But where the Constitution entrusted the creation of school districts to the Legislature the constitutional qualifications did not bar women's votes, since these elections would not involve the election of constitutional officers. *Belles* v. *Burr*, 76 Mich. 1. Where women could vote on questions of policy and administration, a woman who was a registered pharmacist could not obtain a pharmacist's license to retail intoxicating liquors since the statute gave such permission to "qualified electors" only; and this included only males under the Constitution. *In Re Carragher* 149 Iowa 225, Ann. Cas. 1912 C, 972, 31 L. R. A. (N. S.) 321. It has also been *held* that women who could vote did not have to register where the statute required registration of electors. *Wagar* v. *Prindeville*, 21 N. D. 245. Nor were women allowed to vote where the clause in the Constitution read that the officers hereafter to be created "shall be elected by the people" since there was another clause which read that only males could vote "for all officers that now or hereafter may be elective by the people." *In the Matter of Cancellation of Names from the Registry* 5 Misc. (N. Y.), 375. See also *State ex rel. Allison* v. *Blake*, 57 N. J. L. 6, 25 L. R. A. 480. The principal case is a rather novel one in that the women were actually given the vote but owing to the language of the statute it would have to be considered ineffective. The Legislature could have avoided the absurd result reached in this case by using the word "voters" instead of "electors" or by some other more general term. *Olive* v. *School District*, 86 Neb. 135, 27 L. R. A. (N. S.), 523. It would almost seem that the Legislature intended to "make a promise to the ear and break it to the hope." *Hall* v. *City of Madison*, 128 Wis. 132. The holding of the court that the vote was only advisory hardly seems justified since the advice could not be effective until the election would be concluded, when the advice could be to no purpose.

EXTRADITION—PERSONS IN CUSTODY.—Appellant's husband was convicted of a criminal offence in Oregon and sentenced to imprisonment in the state penitentiary. He was released on parol, being forbidden to leave the